



Entered on Docket
October 13, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Binford Medical Developers Loan**

Hearing Date: September 30, 2011
Hearing Time: 9:30 a.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Binford Medical Developers Loan." ("Binford Medical Developers Loan") [DE 8856] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not

1 affect the direct lenders' right to repayment by the borrower or from the collateral securing
2 the Binford Medical Developers Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8856] is sustained; and
5 2. The claims listed on **Exhibit A** attached are 85% disallowed nad 15%
6 allowed to the extent those claims are based upon an investment in the Binford Medical
7 Developers Loan.

8
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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19 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Binford Medical Developers, LLC Loan	Amount Allowed
10725-01619	Addes, Kenneth	100 W Broadway Apt 7V Long Beach, NY 11561	\$394,523.01	\$50,000.00	\$7,500.00
10725-01438	Evans, Richard Z	10409 Summershade LN Reno, NV 89521-5168	153,283.00	75,000.00	11,250.00
10725-01742	Ferguson Living Trust Dtd 6/28/00	C/O Patricia Ferguson Teee 3985 Lake Placid Dr Reno, NV 89511-6780	150,000.00	50,000.00	7,500.00
10725-02162	Goodwin, Michael John	555 Yellow Pine Rd Reno, NV 89511-3714	1,011,076.40	50,000.00	7,500.00
10725-01541	Graham Family Trust Dtd 10/26/78	Robin B & Celia Allen Graham Teees 1460 Twinridge Rd Santa Barbara, CA 93111-1223	503,808.00	25,000.00	3,750.00
10725-00868	Gregory J & Shauna M Walch Family Trst Dtd 11/2/04	C/O Gregory J Walch Trustee 344 Doe Run Cir Henderson, NV 89012-2704	500,000.00	75,000.00	11,250.00
10725-02285	Handal, John A M IRA	First Savings Bank Custodian For 3575 Siskiyou Ct Hayward, CA 94542	507,345.84	50,000.00	7,500.00
10725-02059	Jack R Clark & Linda C Reid Jt Ten	9900 Wilbur May Pkwy #4701 Reno, NV 89521-3089	1,782,032.06	125,000.00	18,750.00
10725-01477	Karen L Pidgeon 2006 Living Trust Dated 2/27/06	C/O Karen L Pidgeon Teee PO Box 41619 Sacramento, CA 95841-1619	538,643.00	100,000.00	15,000.00
10725-01205-2	Lococo, Randall & Allison	3001 San Luis Ct Fort Collins, CO 80525	100,000.00	50,000.00	7,500.00
10725-01205	Lococo, Randall & Allison	3001 San Luis Ct Fort Collins, CO 80525	100,000.00	50,000.00	7,500.00

EXHIBIT A